

# **LAFCO** *of Monterey County*

**LOCAL AGENCY FORMATION COMMISSION**  
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KATE McKENNA, AICP  
Executive Officer

**DATE:** July 28, 2010

**TO:** Chair and Members of the Formation Commission

**FROM:** Kate McKenna, AICP, LAFCO Executive Officer

**SUBJECT: COMMENTS ON AN INITIAL STUDY AND PROPOSED NEGATIVE  
DECLARATION FOR THE AROMAS WATER DISTRICT'S SPHERE OF  
INFLUENCE AMENDMENT IN SAN BENITO COUNTY**

## **SUMMARY OF RECOMMENDATION:**

It is recommended that the Commission authorize the Chair to execute and send a comment letter (Attachment 1) to the Aromas Water District.

## **EXECUTIVE OFFICER'S REPORT:**

### **Summary**

The Aromas Water District has territory in Monterey and San Benito Counties. It provides approximately 850 water connections. The District is currently proposing to expand its Sphere of Influence boundaries in San Benito County. The District has prepared an Initial Study and a proposed Negative Declaration for this Sphere amendment. These environmental documents are the subject of this report.

A draft comment letter (Attachment 1) recommends that the District widen the scope of environmental review to include the District's plans, in the near future, to expand its Sphere of Influence and annex territory in Monterey County. Both of the expansion areas (San Benito and Monterey) should be considered as a single project for purposes of environmental review. Attachment 1 also requests additional information about impacts on groundwater supplies.

## **Description of the San Benito County Project and Environmental Documents**

The Aromas Water District proposes to add about 7 square miles of territory in San Benito County. Because most of the assessed value of the Aromas Water District is in San Benito County, the San Benito LAFCO is the Principal LAFCO and will act on the Sphere of influence proposal. There is currently no immediate plan to annex portions of this expanded Sphere into the District.

The District, as the Lead Agency under the California Environmental Quality Act (CEQA), has drafted a Negative Declaration for the proposed San Benito County Sphere of Influence Amendment. Based on the results of an Initial Study, the District has determined that there would be no significant adverse environmental impacts. The District issued a Notice of Intent to Adopt a Negative Declaration and is accepting comments. The documents can be viewed at the LAFCO Office or can be sent by email upon request.

This amendment would expand the District's Sphere of Influence and connect islands in San Benito County into one contiguous Sphere. The stated purpose is to enable the District to make accurate long range strategic and fiscal planning decisions and to define future boundaries for approximately the next 20 years. The affected territory is south and east of the existing District boundaries (see map in Attachment 2).

## **Comments by LAFCO of Monterey County**

Attachment 1 is a draft comment letter. The letter requests that the Initial Study be revised.

First, the Initial Study should be widened in scope to include the District's anticipated proposal to expand its Sphere of Influence and annex territory in Monterey County (see map in Attachment 3). This Monterey County proposal is separate from the current proposal to expand in San Benito County. It would facilitate the provision of water to two Monterey County subdivisions (Oak Ridge and Via del Sol) that are experiencing well water shortages, connect islands, and facilitate long range planning. The area of the proposed Monterey County Sphere expansion consists of about 2.7 square miles, and is adjacent to the proposed San Benito County Sphere. The Monterey County application is expected to be submitted in the near future, and will require environmental review by the Aromas Water District. (The San Benito County Local Agency Formation Commission previously delegated to the Monterey LAFCO the authority to process the proposed Monterey County Sphere of Influence amendment and annexation.) Due to the close proximity of the proposals, and the timing for both, it would be consistent with CEQA and more efficient to assess the whole of that action at once rather than separately. The San Benito LAFCO and the Monterey LAFCO will jointly use the information in our respective reviews of boundary proposals.

Alternatively, the letter requests that the Initial Study address the cumulative impact of the proposed Monterey County Sphere of Influence amendment and annexation on the

San Benito County proposal. CEQA requires that cumulative impacts be addressed, and the Initial Study should be revised to include these impacts.

Second, the letter requests that the Initial Study include an expanded description of the groundwater basin(s), the projected use of water, and potential impacts on overdraft and salt water intrusion.

**ALTERNATIVE ACTIONS:**

The Commission may modify, delete or add to the draft comment letter.

Respectfully Submitted,



Kate McKenna, AICP  
Executive Officer

Attachments:

1. Draft Comment Letter
2. Map of Current Proposal for a San Benito County Sphere of Influence Amendment
3. Map of Future Proposal for a Monterey County Sphere of Influence Amendment

cc: Vicki Morris, General Manager, Aromas Water District  
Judi Johnson, Executive Officer, LAFCO of San Benito County  
Mary Bannister, General Manager, Pajaro Valley Water Management Agency  
Bill Phillips, Deputy General Manager, Water Resources Agency of Monterey County

## **Attachment 1**

### **Draft Comment Letter**

# LAFCO *of Monterey County*

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KATE McKENNA, AICP  
Executive Officer

### **DRAFT**

June 28, 2010

Ms. Vicki Morris, General Manager  
Aromas Water District  
PO Box 388  
Aromas, CA 95004

RE: Comments on the Initial Study and Proposed Negative Declaration for the  
Aromas Water District's Sphere of Influence Amendment in San Benito County

Dear Ms. Morris:

Thank you for the opportunity to comment on the Initial Study and Proposed Negative Declaration for the Aromas Water District's Sphere of Influence Amendment in San Benito County. While the Local Agency Formation Commission of Monterey County is not a Responsible Agency for the San Benito project, we are interested and affected because the Aromas Water District includes adjacent portions that are in Monterey County. Also, this LAFCO has recently been vested with the authority to consider the District's anticipated Sphere of Influence expansion and annexation in Monterey County.

The Commission requests that additional information be provided prior to the District's acceptance of a Negative Declaration for the San Benito County Sphere Amendment project.

First, we request that the District expand the scope of the Initial Study to include the planned Monterey County Sphere of Influence expansion of approximately 2.7 square miles, and the planned annexation of a portion of that territory. The California Environmental Quality Act (CEQA) states that a "project" is the whole of an action, and not each separate government approval for an activity (CEQA Guidelines Section 15378). The proposed Sphere expansion of the District in San Benito County is adjacent to the proposed Monterey County Sphere, and each will undoubtedly impact the other from an environmental perspective. Accordingly, these expansions should be viewed as a single "project" under CEQA and analyzed together.

## **DRAFT**

We understand that adequate environmental information for the proposed Monterey County annexation may not currently be available. If this is the case, the District may want to limit the scope of the expanded analysis to the Sphere expansions in both counties. The environmental impact of the proposed annexation can later be analyzed in a separate document.

Alternatively, if the scope of review is not expanded, the Initial Study must address the cumulative impact that the proposed Monterey County Sphere of Influence amendment and annexation will have on the San Benito County expansion. Again, due to the proximity of one to the other, both in location and time, and the reliance on the same hydrologic basin as the source of water, the provision of water to new customers in Monterey County will have a cumulative impact on the provision of water to new customers in San Benito County. The Initial Study is silent on this issue.

Second, we request that the Initial Study include a description of the following factors:

1. The groundwater basin, or basins, that underlie the District and the proposed San Benito and Monterey County Spheres of Influence;
2. The volume of water that would be used if the District provides water for all uses within the San Benito and Monterey Spheres;
3. Potential impacts relating to overdraft or salt water intrusion, and
4. Additional information if the proposed Monterey County annexation is included in the analysis, including water sources, water distribution mains, water treatment facilities (if required) and the fiscal ability of the District to provide service.

We appreciate this opportunity to provide comments, and look forward to working with you to implement the District's short and long range planning objectives. Please contact Executive Officer Kate McKenna at 754-5838 with any questions and for assistance in moving forward with your plans.

Sincerely,

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Chair

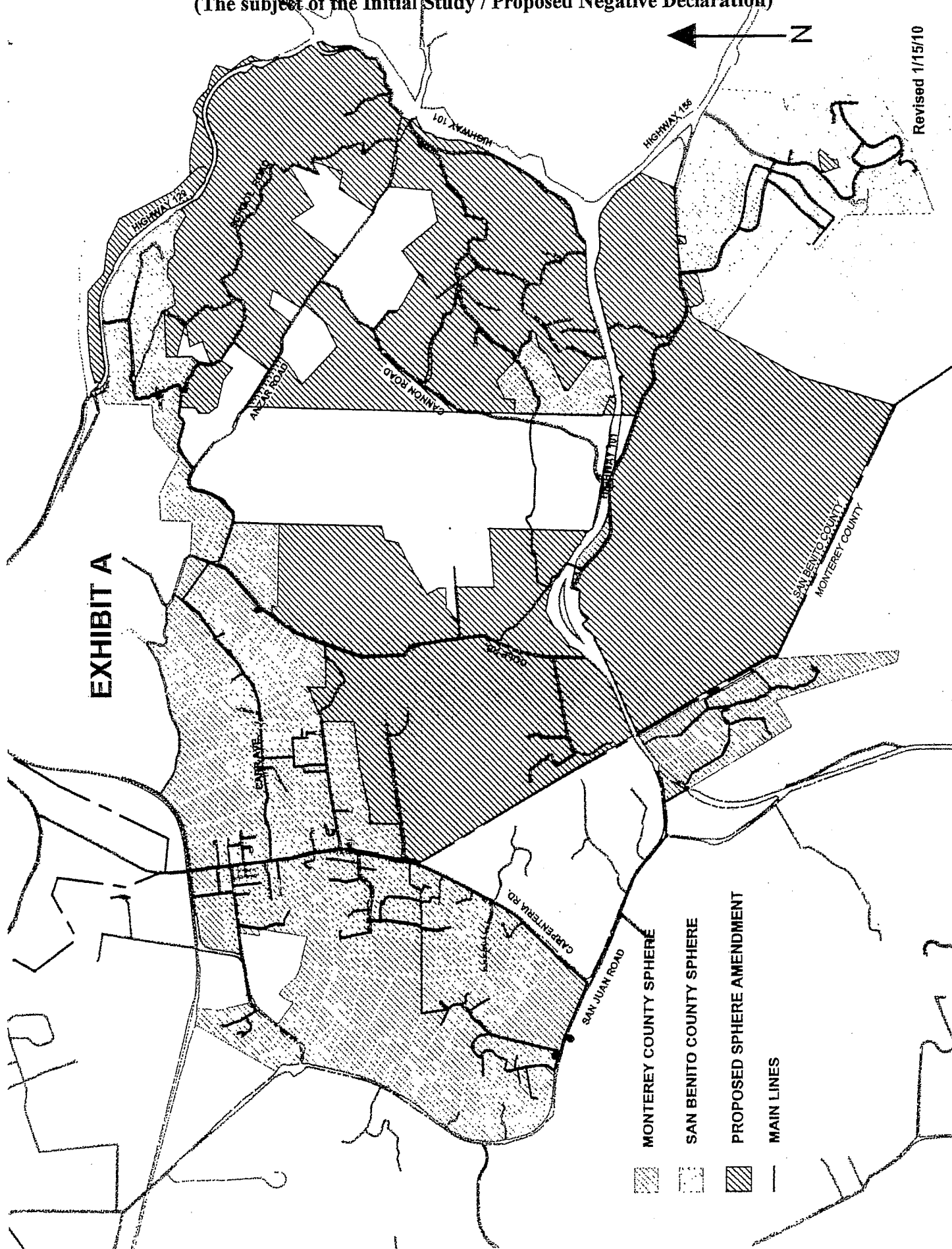
cc: Judi Johnson, Executive Officer, LAFCO of San Benito County  
Mary Bannister, General Manager, Pajaro Valley Water Management Agency  
Bill Phillips, Deputy General Manager, Water Resources Agency of Monterey County

## **Attachment 2**

### **Map of Current Proposal for a Sphere of Influence Amendment in San Benito County**

**Proposed Aromas Water District Sphere of Influence Amendment in San Benito County  
(The subject of the Initial Study / Proposed Negative Declaration)**

# EXHIBIT A





## **Attachment 3**

### **Map of Future Proposal for a Sphere of Influence Amendment in Monterey County**

**Attachment 3**  
**Proposed Aromas Water District Sphere of Influence Amendment in Monterey County**  
**(Not yet submitted for application)**

